

# City of Cincinnati

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## An Ordinance No. 310

- 2015

**AUTHORIZING** the City Manager to establish a parental leave and benefits policy for City employees providing for up to six weeks of leave time for parents to use following the birth or adoption of a child which policy includes paying the employees 70% of their regular rate of pay for up to four weeks after a fourteen calendar day waiting period and allows the parents to take an advance on future paid sick time for the fourteen day waiting period if they do not have fourteen calendar days of accumulated sick leave at that time, in order to ensure that employees have the ability to use up to six weeks of paid sick time following a child's birth or adoption.

WHEREAS, the City of Cincinnati seeks to constantly improve and update benefits for City employees in order to recruit talented people who are successful in their fields to join the City and to encourage existing employees to continue working for the City; and

WHEREAS, in the twenty-first century in America, many private and public companies and institutions allow their employees to take significant time off when they have children, and many of these companies and institutions offer the same amount of time off for both male and female employees in recognition of the shared duties of parenting a newborn or newly adopted child; and

WHEREAS, it is the desire of Council that the City Manager be authorized to establish and implement a parental and sick leave policy under which all employees who are new parents receive six weeks of parental leave following the birth or adoption of their child consisting of two weeks of leave for which they can use accumulated sick or vacation time or for which they can take an advance of paid sick time and four weeks of leave for which they will be paid 70% of their regular rate of pay; and

WHEREAS, after returning to work, employees who have a negative balance of sick days should also be able to take an additional advance of up to five days of paid sick leave to use as needed; and

WHEREAS, employees who have a negative balance of sick time who leave City employment will be obligated to reimburse the City for previously advanced paid sick days, so the City will not incur an additional financial obligation by allowing employees to take an advance of paid sick time; and

WHEREAS, Council considers the additional employment benefit for City employees of ensuring all employees may take up to six weeks of paid parental leave following the birth or adoption of a child to be in the best interest of the City and general public; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is hereby authorized to modify the City's parental and sick leave policy so that employees who are parents of newborn or newly adopted children may receive paid parental leave as follows:

- A. To be eligible for parental leave, employees must be full-time or permanent part-time employees who are eligible for City vacation and sick leave benefits;
- B. Employees must be the biological parent of a newly-born child or the legal guardian/adoptive parent of an adopted child and reside in the same household as the adopted child;
- C. Employees will serve a fourteen calendar day waiting period ("waiting period");
- D. Employees may work during the waiting period, use accumulated sick and/or vacation time to cover some or all of the waiting period, or borrow against future sick time to cover the waiting period;
- E. Beginning on the fifteenth day, employees will receive 70% of their regular rate of pay for up to twenty-eight days;
- F. Employees may substitute accumulated paid leave for the remaining 30% of their regular rate of pay for up to twenty-eight days so they can receive 100% of their regular rate of pay;
- G. Employees are eligible for all employer-paid and employer-provided benefits and will continue to accrue other forms of paid leave while on parental leave;
- H. Employees are ineligible to receive overtime pay during parental leave, and parental leave pay shall not be included in calculating overtime pay;
- I. Employees are ineligible to receive holiday pay while receiving any unpaid or partially paid parental leave unless they elect to substitute paid leave so they receive their full pay during parental leave;
- J. The average number of regular hours worked, including all hours of paid leave, during the three month period immediately preceding parental leave shall be used to determine eligibility for and benefits under parental leave, but benefits cannot exceed forty hours per week and do not include overtime;
- K. If both parents work for the City, both parents are eligible for parental leave, and such leave may be taken either concurrently or consecutively;
- L. Parental leave under the policy shall run concurrently with Family and Medical Leave Act (FMLA) leave;

Section 2. That any employee who has a negative balance of sick days after taking an advance of paid sick days following the birth or adoption of a child may take an additional advance of up to five days of paid sick leave after returning to work.

Section 3. That those employees who leave City employment before earning back previously advanced paid sick days will owe the City for the value of the paid sick days advanced but not earned back.

Section 4. That the benefit described above in Sections 1 through 3 shall be available both to female and male employees who are parents of newborn or newly adopted children in recognition of the shared duties of parenting a newborn or newly adopted child.

Section 5. That within thirty days of passage of this ordinance the City Manager shall develop a plan to implement the policy allowing City employees to receive paid parental leave following the birth or adoption of a child as described herein.

Section 6. That the policy described herein shall be fully implemented within ninety days of the passage of this ordinance.

Section 7. That this ordinance shall take effect and be in force at the earliest period allowed by law.

Passed: September 30, 2015

Attest: [Signature]  
Clerk

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[Signature]  
Mayor

I HEREBY CERTIFY THAT ORDINANCE No. 310-2015  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 10-13-2015  
[Signature]  
CLERK OF COUNCIL